

SECOND REGULAR SESSION

# House Concurrent Resolution No. 38

## 96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES McCREERY (Sponsor), ELLINGER, KELLY (24), McNEIL,  
SCHUPP, NEWMAN, WALTON GRAY, MORGAN, WEBBER, CARLSON, ATKINS,  
KIRKTON AND OXFORD (Co-sponsors).

5705L.011

2       **WHEREAS**, government of, by, and for the people has long been a fundamental  
3 American value and We The People's fundamental and inalienable right to self govern, and  
4 thereby secure rights to life, liberty, property, and the pursuit of happiness is guaranteed in  
5 the United States Constitution and Declaration of Independence; and

6       **WHEREAS**, free and fair elections are essential to democracy and effective self  
7 governance; and

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9       **WHEREAS**, persons are rightfully recognized as human beings whose essential  
10 needs include clean air, clean water, and safe and secure food; and

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12       **WHEREAS**, corporations are entirely human-made legal fictions created by express  
13 permission of We The People and our government; and

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15       **WHEREAS**, in addition to these advantages, the great wealth of large corporations  
16 allows them to wield coercive force of law to overpower human beings and communities,  
17 thus denying We The People's exercise of our constitutional rights; and

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19       **WHEREAS**, corporations are not mentioned in the United States Constitution and  
20 We The People have never granted constitutional rights to corporations, nor have We The  
21 People decreed that corporations have authority that exceeds the authority of We The People  
22 of the United States; and

23  
24       **WHEREAS**, interpretation of the United States Constitution by appointed United  
25 States Supreme Court justices to include corporations in the term "persons" has denied We  
26 The People's exercise of self governance by endowing corporations with constitutional  
27 protections intended for We The People; and

28       **WHEREAS**, the judicial bestowal of civil and political rights upon corporations  
29       usurps basic human and constitutional rights guaranteed to human persons, and also  
30       empowers corporations to sue municipal and state governments for adopting laws that violate  
31       "corporate rights" even when those laws serve to protect and defend the rights of human  
32       persons and communities; and

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34       **WHEREAS**, corporations are not and have never been human beings, and therefore  
35       are rightfully subservient to human beings and governments as our legal creations; and

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37       **WHEREAS**, large corporations' profits and survival are often in direct conflict with  
38       the essential needs and rights of human beings; and

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40       **WHEREAS**, the recent United States Supreme Court decision in *Citizens United v.*  
41       *the Federal Election Commission*, which rolled back the legal limits on corporate spending in  
42       the electoral process, creates an unequal playing field and allows unlimited corporate  
43       spending to influence elections, candidate selection, policy decisions, and sway votes, and  
44       forces elected officials to divert their attention from We The People's business or even vote  
45       against the interest of their human constituents in order to raise competitive campaign funds  
46       for their own re-election; and

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48       **WHEREAS**, large corporations own most of America's mass media and use that  
49       media as a megaphone to express loudly their political agenda and to convince Americans  
50       that their primary role is that of consumers, rather than sovereign citizens with rights and  
51       responsibilities within our democracy, and thus forces citizens to toil to discern the truth  
52       behind the headlines and election campaigning; and

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54       **WHEREAS**, tens of thousands of people and municipalities across the nation are  
55       joining together to call for an amendment to the United States Constitution to abolish  
56       corporate personhood;

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58       **NOW, THEREFORE, BE IT RESOLVED** that the members of the House of  
59       Representatives of the Ninety-sixth General Assembly, Second Regular Session, the Senate  
60       concurring therein, hereby strongly urge the United States Congress to propose an  
61       amendment to the United States Constitution, in accordance with Article V of the  
62       Constitution, which would put to a vote of We The People a constitutional amendment which  
63       clearly states that corporations are not human beings and do not have the same rights as the  
64       citizens of the United States; and

65           **BE IT FURTHER RESOLVED** that the Chief Clerk of the Missouri House of  
66 Representatives be instructed to prepare properly inscribed copies of this resolution for the  
67 Majority and Minority Leaders of the United States Senate and United States House of  
68 Representatives, and each member of the Missouri Congressional delegation.

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